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SUBJECT: ADVISING RUSSIAN AMBASSADOR OF CONCERN FOR CIVIL
SOCIETY

Classified By: EUR PDAS Marcie Ries, reasons 1.4 (b) and (d)

11. (C) SUMMARY: On December 9, DRL A/S David Kramer called Russian Ambassador Sergei Kislyak in to the Department to discuss civil society in Russia. Kramer expressed his condolences for Russian Orthodox Church (ROC) Patriarch Alexiy II's death. Kramer then gave Kislyak a copy of the Department's statement on the police raid of the Memorial office in St. Petersburg, expressing the Department's concern over the raid and other incidents involving RFE/RL and journalists. He said he hoped these incidents are aberrations, not an emerging tendency to crack down on civil society. Kislyak said he would look into them, but stressed that all organizations must abide by Russian law. Kramer also expressed concern over problems NDI has had with local authorities and the Committee Against Espionage (CAE) in Moscow, which reportedly has connections with Nashi and the Kremlin. In response, Kislyak said again that all organizations in Russia must follow Russian law. Finally, Kramer raised the issue of a tax exempt status for NGOs. Sergey Chumarev, an Embassy Counselor accompanying Kislyak, cited statistics on the numbers of NGOs registered in Russia. He then said that priority for tax exemption is given to UN agencies, though the list is not yet closed. He speculated that the current financial crisis would make it more difficult for organizations to get themselves added to that list. END SUMMARY.

Patriarch's Death

12. (C) DRL A/S Kramer began his December 9 meeting with Russian Ambassador Kislyak by expressing his condolences for the death of ROC Patriarch Alexiy II. Kislyak thanked Kramer for his sympathy and for the President's statement. He said that many people admired the Patriarch, and that Alexiy's work at building inter-faith cooperation is the sign of a healthy, developing society.

Memorial Raid/Civil Society Problems

13. (C) Kramer handed Kislyak a copy of the Department's statement on the police raid of the Memorial NGO's St. Petersburg office. He told Kislyak the charge of extremism against the NGO seems flimsy, and he expressed concern about the files and other materials taken from the organization. Kramer requested Russian authorities return all confiscated materials and said an investigation into the search would be helpful. Kislyak said he is not aware of this case, but that he would look into it. He added that Memorial is a well-known organization, and as long as they work within the law no one will interfere with their work. Kislyak insisted that the anti-corruption law is very strict, and the place to challenge whether or not one is in compliance with that law is the courts, not the State Department. (NOTE: Kramer and the statement both said Memorial was accused of violating the law against extremism. Kislyak apparently misunderstood, and

thought it was accused of violating the anti-corruption law. We followed up after the meeting to explain it was the law against extremism. END NOTE.)

14. (C) Kramer also told Kislyak he is concerned about other problems including a visit by Russian authorities to an RFE/RL affiliate's office; the beating of a journalist in Khimki; threats against journalist Yuliya Latynina; and intimidation of an American Wall Street Journal correspondent. Kramer said while he hopes these events were aberrations, he is concerned they were part of a larger trend reflecting a possible desire of the government to crack down on civil society in the face of economic difficulties. Kislyak said there is a crime problem in Russia, so not all attacks are connected with politics. In addition, he added, some people claim political persecution when they are guilty of violating laws. He would have to look into the specific details of the cases raised, Kislyak told Kramer, but he said there is no connection between the financial crisis and the enforcement of the law, which applies universally to all individuals and organizations in Russia.

NDI

15. (C) Kramer told Kislyak he is also concerned about reports that local authorities and the CAE in Moscow (with reported ties to Nashi and the Kremlin) had been harassing NDI. Kislyak joked that he would be concerned only if the harassment were connected to the FSB. Kislyak did not respond specifically to these concerns, but stated that the GOR's general policy of acting in accordance with Russian law will not change. He added, "This is our country, not yours." Kislyak explained that there were over 227,000 registered NGOs in Russia, and that Russian authorities applied the law universally. Kramer challenged this point, arguing that the USG is not asking Russia to look the other way. He noted, however, that it appeared the GOR is applying its laws selectively.

NGO Registration/Taxation

16. (C) Kramer asked if Kislyak had any information on the tax-exempt status of foreign NGOs in Russia. Kislyak deferred to Sergey Chumarev, an Embassy Counselor responsible for human rights. Chumarev said that NGOs are reducing their activities this year, probably as a result of the financial crisis. Nonetheless, he said, the number of registered NGOs is fairly stable at around 200,000. This year, only 8 percent of NGOs applying for registration were refused (as compared to 13 percent in 2007), and the usual reason for refusal was a lack of proper documents. Chumarev noted 14 percent of the refusals were subsequently overturned by the courts. He added that the Federal Registration Service is working with foreign NGOs who have lagged behind in their compliance with changes in Russian law, and that 126 American NGOs had been registered while 6 American NGOs had been refused registration. On the tax-exempt issue, Chumarev said that priority for tax-exempt status is given to UN agencies, but that the list is not yet closed. He speculated, however, that the financial crisis means that tax revenues are even more important and gaining a tax-exemption will be more difficult.
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